IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 32625 of 2006(H)

PETITIONER:

ABDUL LATHEEF,
S/O.HAMEED HAJI, AFRA TRADERS,
IMPORTERS & EXPORTS, H.O. GALAXY HOSTEL BUILDING,
MUZHTHADAM, THANA, KANNUR-670 012.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:
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1. THE MANAGING DIRECTOR,
KERALA STATE FINANCIAL CORPORATION,
THIRUVANANTHAPURAM.

2. THE MANAGER,
M/S.KERALA STATE FINANCIAL CORPORATION,
1ST FLOOR, CENTENARY COMPLEX,
MULAVAKOVIL STREET, PALAKKAD.

3. THE DEPUTY TAHSILDAR (RR),
KERALA STATE FINANCIAL CORPORATION,
THIRUVANANTHAPURAM.

4. MR.SUBAIR,
M.R.G.S. COLD STORAGE,
SHORNUR ROAD, KALIYIKKAL,
PALAKKAD DISTRICT.

BY ADV. SRI.T.V.GEORGE, SC, KFC
SRI.N.RATHEESH
SMT.SUMA RATHEESH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Appendix

Petitioner's Exhibits

Ext.P1: Photostat copy of the Rental agreement dated 1-4-2005 to 31-3-2007

Ext. P2: Photostat copy of the R.R. Notice

Ext P3: Photostat copy of the reply notice of R.R. Notice

Ext.P4: Photostat copy of the rejection of the reply notice by the Deputy Tahsildar

// True copy//

THOTTATHIL B.RADHAKRISHNAN.J

W.P(C) No. 32625 of 2006

Dated this the 5th day of March 2007

JUDGMENT

The condition imposed as per interim order dated 8-12-2006 has not been complied with. The petitioner challenged action taken by the Kerala Financial Corporation for the recovery of money due to it on the merits. Petitioner does not have a case that the amounts are not due to the K.F.C.. The averments in the counter-affidavit abundantly discloses that there is no legal infirmity in the impugned action. No jurisdictional error in the respondents having taken the impugned action has been demonstrated . No other grounds are raised. This writ petition fails. Dismissed

THOTTATHIL B.RADHAKRISHNAN.JUDGE

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